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Top US judges cast doubt on legality of Trump's tariffs

• Chief Justice Roberts says tariffs are direct exercise of congressional authority • Other justices grill defence, citing concerns about Congress's constitutional role, the intent behind emergency law and its interpretation

WASHINGTON: US Supreme Court justices from across the ideological spectrum on Wednesday questioned the legality of President Donald Trump's sweeping tariffs, hearing a landmark case that could uphold or upend a key pillar of his economic agenda and test the limits of presidential power.

In a contentious session, justices pressed the Trump administration's lawyer on whether the president had intruded on the power of Congress by citing emergency powers to impose tariffs on nearly every US trade partner.

At stake are billions of dollars in customs revenue, a key lever in Trump's trade wars, and a fundamental debate over the separation of powers.

The court's nine justices are considering Trump's use of the International Emergency Economic Powers Act (IEEPA), a 1977 law allowing a president to regulate commerce during a national emergency.

A lower court ruled in May that Trump had exceeded his authority by using the law to impose broad tariffs, prompting the administration's appeal.

The solicitor general arguing for the administration, D John Sauer, faced immediate scepticism from both conservative and liberal justices over the government's interpretation of the law and the vast economic consequences of the tariffs.

A central issue before the court is whether the "major questions doctrine" applies. The doctrine requires clear and explicit authorisation from Congress for executive branch actions with vast economic and political significance.

Chief Justice John Roberts challenged Mr Sauer on why the doctrine would not apply to tariffs of such immense scale.

"The justification is being used for a power to impose tariffs on any product, from any country, in any amount, for any length of time," Justice Roberts said. "I'm not suggesting it's not there, but it does seem like that's major authority, and the basis for that claim seems to be a misfit. So why doesn't it apply?"

Mr Sauer argued the doctrine does not apply in the context of foreign affairs, where presidents have broad authority. He contended that the issue was not the tax but rather to regulate foreign commerce, calling the imposition of tariffs a "core application" of such authorities.

Roberts pushed back, framing the tariffs as a direct exercise of congressional authority. Liberal justices echoed these concerns. Justice Elena Kagan noted that the power to impose taxes and regulate foreign commerce are usually considered "quintessential" powers belonging to Congress, not the president.

Justice Ketanji Brown Jackson added that IEEPA was intended to limit, not expand, presidential authority.

Conservative justices also raised pointed questions. Justice Amy Coney Barrett asked Sauer if he could cite any other instance where the phrase "regulate importation" was used to grant the power to impose tariffs.

Justice Neil Gorsuch warned that the administration's broad interpretation of presidential power threatened the constitutional separation of powers, suggesting it could become a "one-way ratchet toward the gradual but continual accretion of power in the executive branch and away from the people's elected representatives".

The administration, however, did find some potential support. Justice Brett Kavanaugh noted a possible precedent, pointing out that former President Richard Nixon had imposed a worldwide tariff in the 1970s under a predecessor statute to IEEPA that contained similar language.

Trump considered attending the hearing but decided against it, stating he did "not want to distract" from the proceedings. However, Treasury Secretary Scott Bessent and US Trade Representative Jamieson Greer were present. —Agencies

MOSCOW: The Beaver supermoon — the closest, biggest, and brightest full moon of the year — is pictured as it sets behind the Kremlin and St. Basil's Cathedral.—Reuters

Gaza force proposal to land in Security Council soon

By Anwar Iqbal

WASHINGTON: The United States plans to table a resolution regarding the formation of an International Stabilisation Force (ISF) in the UN Security Council "within days", diplomatic sources told *Dawn*.

On Monday, Washington circulated the document among several Council members, proposing a mandate of at least two years, until December 2027, along with the possibility of extensions.

Diplomats privy to developments told *Dawn* that President Trump's 20-point Gaza plan is attached to the resolution that all UN Security Council members formally received on Tuesday afternoon.

The resolution, one source said, contains several ambiguities.

The draft does not seek a UN mandate for the proposed ISF, which will operate under the newly proposed Board of Peace.

The ISF is also expected to disarm Hamas, but will have no authority over Israeli military activities. The resolution also makes no reference to a "pathway to Palestinian self-determination and statehood," although the concept is included in Trump's 20-point plan.

Pakistan was among the parties that received the draft resolution last week, although it has not yet taken a public position on it. Even Indonesia has conveyed that it will not send troops to Gaza if the objective is "only to disarm Hamas". Jakarta, like the rest of the eight-nation Muslim bloc, is also seeking a UN mandate for the mission — if not for the force — and wants the UNSC to have a role.

Engineers' protest continues to affect PIA operations

• Airline says it will take legal action against protesting employees, claims partial restoration of flights • SAEP maintains it is not on strike, can't issue clearance certificates at passengers' expense

By Mohammad Asghar

RAWALPINDI: The PIA on Wednesday managed to "partially restore its flight operations" amid a protest by aircraft engineers under the umbrella of the Society of Aircraft Engineers of Pakistan (SAEP).

The tiff between the PIA management and the SAEP has been going on for three days over the safety of aircraft, causing delays in the departure of domestic and international flights at multiple major airports. On Wednesday, the PIA cancelled six flights to adjust the schedule of already delayed flights.

On Monday night, the aircraft engineers refused to issue clearance certificates to aircraft, and hundreds of passengers were stranded at different airports due to long delays in the flights, especially those scheduled for Saudi Arabia.

The PIA claimed that the engineers were on "strike" while the SAEP said that they were on duty but not giving clearance certificates to aircraft without all the mandatory checks. Against this backdrop, the PIA management called the SAEP president and general secretary for an inquiry on Tuesday, but they didn't even show up on Wednesday.

A PIA spokesman confirmed that the two office-bearers were summoned by the PIA management for the final hearing as an investigation against them had been underway. The PIA will initiate legal action against them in line with the law, he explained. He said that PIA flight operations had been partially restored through alternative means, hoping that the situation would become normal very soon.

SAEP Secretary General Awais Jadoon said that they are on duty and working, but could not compromise on safety and airworthiness. "We are being forced to issue clearance certificates (to release the planes), but we cannot put passengers' lives at risk in such tense circumstances," he explained.

He said that the engineers were not on strike, adding that they could not make compromises on the safety of travellers, as they were only issuing clearance certificates to aircraft completely fit for flying.

When asked about their meeting with the PIA management, he explained that they were not called by the management for negotiations or to address the issues raised by engineers, but they were called for a 'personal inquiry' initiated against them.

Pakistan among nations using water 'inefficiently'

WB report reveals world is losing 324 billion cubic metres of freshwater every year

By Amin Ahmed

ISLAMABAD: Pakistan is one of six countries with the highest levels of inefficient agricultural water use amid increasingly arid conditions, contributing to the annual global loss of 324 billion cubic metres of freshwater, according to the first edition of the global water monitoring report by World Bank.

The report, "Continental Drying: A Threat to Our Common Future," says about one-quarter of inefficient water consumption in rain-fed agriculture and one-third in irrigated agriculture are concentrated in regions experiencing declining freshwater availability.

These hot spots, where water inefficiency coincides with drying trends, are most pronounced in Western Asia, Eastern Europe, and North Africa.

On a national level, the highest share of inefficient agricultural water consumption under drying conditions is observed in Algeria, Cambodia, Mexico, Pakistan, Thailand, Tunisia and Romania, the report says.

Drawing on two decades of satellite data enhanced through new modelling techniques, the report provides an unprecedented view of how land and water management decisions are shaping water availability.

The past two decades have seen a global shift toward the cultivation of more water-intensive crops. Among drying countries, 37 have transitioned to more water-intensive agriculture, including 22 located in arid and semi-arid regions. This structural shift, coupled with inefficiency, further intensifies water demand in already water-stressed countries.

More than two-thirds of the inefficient irrigation in drying areas is linked to the cultivation of water-intensive crops, underscoring the need for smarter crop choices that align agricultural practices with water sustainability.

The report reveals that the world is losing 324 billion cubic metres of freshwater every year, enough to meet the needs of 280 million people annually. These losses are driven by worsening droughts and unsustainable practices, including poor pricing policies, weak coordination, deforestation and wetland degradation.

Global water use has risen 25 percent since 2000, with a third of that increase occurring in areas already drying out.

Gold theft scandal hits famous Indian temple

• High court finds evidence of gold missing from idols • Ex-assistant priest among three arrested

A FAMED Hindu temple in southern India is embroiled in a scandal after the Kerala high court said there was evidence that some of the idols have been stripped of their gold covering, *BBC* reported.

Gold and silver plating of idols and temple figurines, mostly paid for by devotees, is common across temples in India. So, the theft at Sabarimala shrine, visited by millions of pilgrims every year, has stunned the devout and made headlines.

The Kerala High Court has set up a special investigation team (SIT), police have begun an inquiry into the disappearance of gold and three people, including a former assistant temple priest, have been arrested.

A two-judge bench that is monitoring the investigation has been holding regular hearings in the case since September.

The hill shrine, dedicated to Hindu deity Lord Ayyappa, had made headlines a few years back too. The temple bars women of menstruating age and was ordered by the Supreme Court to end this discrimination. But following protests, the court agreed to review its landmark ruling and put it on hold.

What has been stolen?

The current controversy centres around two idols of Dwarapalakas — or the door guards that stand just outside the sanctum sanctorum where the main deity sits.

The court took up the case in September after a report by the court-appointed Sabarimala special commissioner revealed that the idols were stripped of their gold-cladding in many places.

In a series of court orders since then, Justices Raja Vijayaraghavan V and KV Jayakumar say they have looked at the records submitted by temple officials, before-and-after photographs and other documents that the SIT has gathered into "this extraordinary case involving the pilferage of Lord Ayyappa's sacred valuables".

The judges said when they directed the temple officials to produce complete files and records relating to the repair of the idols, "little did we realise, that we were in fact opening a hornet's nest".

Temple records show that 30.291kg gold — donated by now-disgraced billionaire businessman Vijay Mallya — was used in 1998-99 to carry out gold-cladding on the idols and several parts of the temple, including some pillars, door arches and panels depicting stories of Lord Ayyappa.

The court says that in July 2019, the Travancore Devaswom Board that manages the temple allowed the main suspect Unnikrishnan Potty — a former assistant priest at Sabarimala — to take out the idols for fresh gold-cladding.

Two months later when they were brought back, they were not weighed, but the court says that later investigations have revealed they were a lot lighter. Further investigation by the SIT has revealed pilferage also from the pedestals and door frames and the court says that approximately 4.54kg gold has gone missing since 2019.

What was highly unusual was that Mr Potty was allowed to take out the idols since repair work is generally done within the temple, the court noted. It added that "while handing over the precious items to him", the temple board had recorded gold-cladded items as "copper plates".

Temple board under fire

The judges have also been scathing in their criticism of the temple board for "wrongfully permitting" Mr Potty "to retain approximately 474.9g of gold" after the repairs.

Referring to an email Mr Potty sent to the board seeking permission to use this "surplus gold" for the "marriage of a girl known or related to him", the court said it was "deeply disturbing and exposes, yet again, the extent of the impropriety involved".

Mr Potty has been arrested and sent to judicial custody by a magistrate and the *BBC* was not able to speak to him. — Monitoring Desk

Miss Universe contest marred by pageant official's behaviour

Many contestants walk out after Miss Mexico criticised during live-streamed ceremony in Bangkok

Dawn Images

THE Miss Universe 2025 pageant, set to be held in Bangkok, has been overshadowed by controversy after a confrontation between a senior pageant official and Miss Universe Mexico triggered a walkout by several contestants — including the reigning Miss Universe, Victoria Theilvig.

The incident occurred during a livestreamed sashing ceremony on the Miss Universe Thailand Facebook page, where Nawat Itsaragrisil, vice president for Asia and Oceania at the Miss Universe Organisation, publicly berated F tima Bosch for allegedly missing a sponsor-related photoshoot earlier in the day.

Accusing her of showing "no respect", Itsaragrisil ordered her to stand and "explain herself" before the other delegates. Bosch, visibly uncomfortable, resisted being singled out, stating that she wished to "use my voice" to defend herself. Itsaragrisil replied by describing her behaviour as "a dumb act" and instructed security personnel to escort her out.

Before Bosch could be removed, dozens of contestants rose from their seats and began walking out in protest.

"Stop, stop. Sit down!" Itsaragrisil can be heard shouting in the livestream, warning that those who continued to leave risked disqualification. The delegates continued to walk out regardless.

'Women's rights'

Outside the venue, Miss Universe 2024 Victoria Theilvig voiced her support for Bosch, telling reporters: "This is about women's rights.

SEVERAL Miss Universe participants walked out after Mexican contestant F tima Bosch was publicly humiliated by a pageant executive. The organisation's president later called the incident an 'abuse of power'.

We have respect for everyone, but this is not how things can be handled. To trash another girl, it's beyond disrespectful. That's why I'm taking my coat and I'm going."

Bosch later told Thai media that she had been called "dumb" and "told to shut up".

"I just try to be kind and do my best," she said. "The world needs to see this, because we are empowered women and no one can shut our voice… no one will do that to me."

In another interview, she reiterated her purpose: "We're in the 21st century. I'm not a doll to be made up and styled. I came here to be a voice for women who fight for causes, and I'm not afraid to make my voice heard."

Itsaragrisil issues apology

Hours later, Itsaragrisil went live on TikTok to address the backlash. He claimed several contestants had refused to take part in promotional recordings for pageant sponsors and said he had been managing "daily problems" due to the absence of Miss Universe Organisation officials in Thailand. While defending his frustrations, he extended an apology to delegates who had remained in the hall and to international viewers.

"If anything happened today, and you are not happy, some delegate feeling not comfortable, I do apologise, and also to the fans around the world. But please understand our side too," he said, adding that he would "take good care" of Bosch and "resolve the issue with her"..

Organisation's response

Following widespread criticism online, the Miss Universe Organisation (MUO) issued a statement. "The MUO reaffirms its commitment to working closely with host community, the Miss Grand International Organisation, and all local partners to ensure the continued success of the 74th Miss Universe competition. Together we are dedicated to upholding the highest standard of respect, safety and integrity for all participants, staff and stakeholders.

All scheduled events and activities will continue as planned."

Video statement

Separately, MUO President Ra l Rocha Cant released a strongly worded video statement condemning Itsaragrisil's "malicious acts" towards Bosch.

"He humiliated, insulted, and intimidated a defenceless woman, trying to silence and exclude her," Cant said, calling the behaviour "an abuse of power" driven by "a constant desire to be the centre of attention."

The organisation confirmed that Itsaragrisil's participation in this year's events has been "restricted" and may be revoked entirely pending further "corporate and legal actions".

Newly appointed MUO CEO Mario B caro will travel to Thailand to oversee the remainder of the competition, which is scheduled to conclude with the crowning ceremony on Nov 20.

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